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January 9, 2003

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW, Room TWB-204  
Washington, DC 20554

Re: Notice of Oral Ex Parte Communication:

In the Matter of Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers, CC Docket Nos. 01-338, 96-98 and 98-147

Appropriate Framework for Broadband Access to the Internet Over Wireline Facilities, CC Docket No. 02-33

Dear Ms. Dortch:

Yesterday, James W. Cicconi, AT&T's General Counsel and Executive Vice President for Law and Government Affairs, discussed with Commissioner Kevin Martin the above-referenced proceedings. All of Mr. Cicconi's comments were consistent with the comments, pleadings and submissions previously filed by or on behalf of AT&T in the relevant proceedings. More specifically, on the Triennial Review Proceeding, Mr. Cicconi noted that the economic and marketplace evidence in the record at this time fully supports AT&T's claim that the Commission should maintain the current list of UNEs in general and ensure the continued availability of UNE-P and broadband related elements. Mr. Cicconi discussed how CLECs would be impaired without access to unbundled local switching and emphasized the critical role that State Commissions must play in resolving both the problems associated with current loop provisioning processes and the other economic and operational hurdles that currently prevent CLECs from fully utilizing their switch facilities.

Mr. Cicconi also affirmed AT&T's opposition to the reclassification of any wireline broadband service as an unregulated Title I service, noting that such a reclassification would produce broad and undesirable consequences.

Consistent with Commission rules, I am filing one electronic copy of this notice and request that you place it in the record of the above-referenced proceedings.

Sincerely,

A handwritten signature in black ink, appearing to be 'JM' followed by a long horizontal line.

Joan Marsh

cc: Kevin Martin, Commissioner  
Dan Gonzalez